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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

NIKOLAY BARKHATOV,

Petitioner,

v.

ROSEMARY MELVILLE, District Director,
 U.S. Citizenship and Immigration Services,
 San Francisco District;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 MICHAEL CHERTOFF, U.S. Secretary of
 Homeland Security, and
 ROBERT S. MUELLER, III, Director,
 Federal Bureau of Investigations;

Respondents.

No. C 07-3172 EDL

**STIPULATION TO DISMISS AND
 [PROPOSED] ORDER**

Petitioner, by and through his attorney of record, and Respondents, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate petitioner's application for naturalization and agrees to adjudicate such application within 30 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.

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1 Date: August 14, 2007

Respectfully submitted,

2 SCOTT N. SCHOOLS
3 United States Attorney

4 /s/

5 EDWARD A. OLSEN
6 Assistant United States Attorney
7 Attorneys for Respondents

8 /s/

8 Date: August 14, 2007

9 ROBERT BAIZER
10 Attorney for Petitioner

11 **ORDER**

12 Pursuant to stipulation, IT IS SO ORDERED.

13 Date:

14 ELIZABETH D. LAPORTE
15 United States Magistrate Judge